THE HIGH COURT OF UTTARANCHAL AT NAINITAL

ORIGINAL JURISDICTION

Dated : Nainital the 16th of February, 2006

Bail Application No. 1124 of 2005

Order on the bail application of accused

CRIMINAL SIDE

Rahul
S/o Late Shri Rajendar
R/o 79 Tilak Road
Police Station – Kotwali
District – Dehradun …… Applicant

Versus

State of Uttaranchal ……..Opposite Party

In Case Crime No. 281 of 2005
U/s 379, 411 I.P.C.
Police Station Kotwali
District – Dehradun

Hon'ble J.C.S. Rawat, J.

Heard Sri Sandeep Tandon, learned counsel for the applicant, learned AGA for the State and perused the record.

As per the prosecution case, the incident took place on 09.08.2005 and the report was lodged on 11.08.2005 at about 2:35 PM. Immediately thereafter the accused was arrested and a scooter was recovered from the possession of the accused. It was contended that the report was lodged immediately before the arrest was made. It was contended that the case of the prosecution is un-believable. The case is triable by the Magistrate.

Considering the facts and circumstance of the case in totality, it is a fit case for bail.

Let the applicant-accused, Rahul be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the CJM concerned.

(J.C.S. Rawat, J.)

Dated 16.02.2006
Shiv